



Federal Communications Commission
Washington, D.C. 20554

DA 07-3823

September 4, 2007

John D. Chastain
Talking Rock Communications, Inc.
120 White Oak Drive
P.O. Box 506
Jasper, GA 30143

Re: Call Sign: E070185
File No. SES-LIC-20070813-01096

Dear Mr. Chastain:

On August 13, 2007, Talking Rock Communications, Inc. filed the above-captioned application for authority to operate a Temporary-Fixed C-Band¹ Transmit/Receive Earth Station. For the reasons discussed below, we dismiss the application as defective, without prejudice to refile.²

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. Talking Rock Communications, Inc.'s application does not comply with the Commission's rules, rendering it unacceptable and subject to dismissal. The deficiency is as follows:

Question 28 of Form 312 indicates that a radiation hazard study must accompany all applications as an exhibit for new transmitting facilities such as the one proposed.³ However, Talking Rock Communications, Inc.'s application did not include this required exhibit.

¹ 3700-4200 and 5925-6425 MHz bands.

² If Talking Rock Communications, Inc. refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. See 47 C.F.R. § 1.1109(d).

³ See 47 C.F.R. § 1.1307(b).

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss Talking Rock Communications, Inc.'s application without prejudice to refiling.

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau